

REMARKS

Claims 1-5 were pending when the present Office Action was mailed. Claims 6-29 have been withdrawn from prosecution pursuant to an earlier restriction requirement. In this response, claims 1 and 3-5 have been amended and new claims 30-45 have been added. Accordingly, claims 1-5 and 30-45 are currently under consideration in the present application.

In the Office Action, claims 1 and 2 were rejected and claims 3-5 were indicated to include allowable subject matter. More specifically, the status of the application in light of the Office Action is as follows:

(A) The Examiner requested new drawings;

(B) Claim 1 was rejected under 35 U.S.C. §102(b) over U.S. Patent No. 3,605,210 to Lohr ("Lohr");

(C) Claim 2 was rejected under 35 U.S.C. §103(a) over Lohr; and

(D) Claims 3-5 were indicated to be allowable if rewritten in independent form.

A. Response to the Request for New Drawings

New formal drawings are included with this response in accordance with the Examiner's request.

B. Response to the Section 102 Rejection of Claim 1

Claim 1 was rejected under 35 U.S.C. §102(b) over Lohr. As discussed in detail below, Lohr fails to disclose or suggest all of the features of claim 1. Accordingly, the rejection of claim 1 should be withdrawn.

1. Claim 1 is Directed to a Buckle and Tongue Combination that Includes, *inter alia*, at least one Inclined Abutment Surface that Engages Release Abutments and Urges the Release Abutments Outwardly and Away from Each Other

Claim 1 is directed to a buckle and tongue combination for restraining an occupant in a seat. The buckle and tongue combination includes a housing, a frame located within the housing, and two pawls disposed upon the frame. Each of the pawls has a proximal end and a distal end. Each distal end includes a release abutment extending from the respective pawl. A hinge pin is disposed at the proximal end of each pawl for pivotally coupling the pawls to the frame.

The buckle and tongue combination of claim 1 also includes a tongue adapted to be disposed adjacent to the two pawls such that the tongue interlockingly engages the pawls. A biasing member is disposed within the housing to engage the pawls and urge the pawls to a locked position with respect to the adjacent tongue.

The buckle and tongue combination of claim 1 further includes a release button slidably secured along the frame. The release button is biased in a first or locked position. The release button includes at least one inclined abutment surface that engages the release abutments and urges the release abutments outwardly and away from each other when the button is depressed. The inclined abutment surface thereby moves the two pawls toward an unlocked position when the release button is moved from the first position toward a second position.

2. Lohr Discloses a Side Locking Seat Buckle Having a Release Member with Projecting Lugs that Move Locking Member Slots Inwardly, Toward Each Other, to Release the Buckle

Lohr discloses a side locking seat belt buckle including a pair of locking members 40, 42 that retain a tongue 14 in a locked position in the buckle. A release member 64 slides within a housing 10 of the buckle to move the locking members 40, 42 to release positions. The locking members 40, 42 are coupled to a frame 18 by rivets 44, 46, and a spring 50 biases the locking members 40, 42 toward the locked position.

Each locking member 40, 42 includes a slot or opening 74, 76. The release member 64 includes lugs 70, 72 extending therefrom to engage the sides of the slots 74, 76 to pivot the locking members 40, 42 inwardly, toward the open position to release the buckle. (Lohr, 3:24-26.)

3. Lohr Fails to Disclose or Suggest, *inter alia*, at least one Inclined Abutment Surface that Engages Release Abutments and Urges the Release Abutments Outwardly and Away from Each Other

Claim 1 is directed to a release button "having at least one inclined abutment surface which engages the release abutments and urges the two release abutments outwardly and away from each other to thereby move the two pawls towards an unlocked position." In contrast, Lohr discloses a release member 64 having lugs 70, 72 that project into corresponding slots 74, 76 and move the locking members 40, 42 inwardly toward each other, not outwardly and away from each other as in claim 1. Accordingly, Lohr cannot support a §102 rejection of claim 1 for at least this reason and the rejection should be withdrawn.

C. Response to the Section 103 Rejection of Claim 2

Claim 2 was rejected under §103(a) over Lohr. Claim 2 depends from claim 1. Accordingly, Lohr cannot support a §103 rejection of claim 2 for at least the reason that Lohr cannot support a §103 rejection of base claim 1, and for the additional features of this dependent claim. Therefore, the §103 rejection of claim 2 should be withdrawn.

D. Response to the Objection of Claims 3-5

Claims 3-5 were objected to as depending from a rejected base claim, but were indicated to be allowable if rewritten in independent form. Although the applicants respectfully traverse the rejection of claim 1, the applicants have elected to rewrite claim 3 in independent form to include all of the features of base claim 1 and any intervening claims. Accordingly, the objection to claim 3 should be withdrawn. Claims 4 and 5 depend from claim 3. Therefore, the objection to claims 3-5 should also be withdrawn.

E. New Claims 30-45

New claims 30-45 were added in this response. Claim 30 depends from claim 1. Independent claim 31 includes a release button having recesses to engage release members projecting from a surface of the corresponding pawls. Independent claim 41 includes pawls having release members and means for urging the release members outwardly and away from each other to thereby push the toward an open position in response to movement of a release button. Independent claim 43 includes first and second release members that project adjacent to corresponding first and second abutment edges of a release button such that the release button urges the first and second release members outwardly and away from each other when the release button is moved from a first position to a second position. Claims 32-40 depend from base claim 31, claim 42 depends from base claim 41 and claims 44 and 45 depend from base claim 43.

F. Conclusion

In view of the foregoing, the pending claims comply with 35 U.S.C. §112 and patentably define over the applied art. The applicants accordingly request reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (206) 359-6351. Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 645138001US from which the undersigned is authorized to draw.

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Respectfully submitted,

By 

Stephen E. Arnett

Registration No.: 47,392

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant